

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Raybin I. Jones,

Case No. 3:24-cv-1612

Plaintiff,

v.

ORDER

Vital & FNR North America, LLC,

Defendant.

On September 20, 2024, Plaintiff filed a Complaint, (Doc. No. 1), and a motion to proceed *in forma pauperis*. (Doc. No. 2). I denied the motion to proceed *in forma pauperis* on October 4, 2024, and ordered Plaintiff pay the filing fee within thirty days of that Order. (Doc. No. 4). In the Order, I also stated, “Plaintiff is also notified that he will be responsible for service of process upon payment of the filing fee.” (*Id.* at 2). Plaintiff paid the filing fee on October 23, 2024, and summons was issued by the Clerk on December 13, 2024. (Doc. No. 5).

Federal Rule of Civil Procedure 4(m) provides:

If a defendant is not served within 90 days after the complaint is filed, the court--on motion or on its own after notice to the plaintiff--must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Because of the delays associated with the motion to proceed *in forma pauperis*, I conclude good cause exists to extend the deadline beyond ninety days from the filing of the Complaint. But, at this point, nearly ninety days have elapsed since summons was issued, and there is no indication on the docket that Plaintiff has perfected service on Defendant.

By March 31, 2025, Plaintiff shall either show service has been perfected on Defendant or show cause for the failure to do so. If Plaintiff fails to do so, this action will be dismissed without prejudice under Rule 4(m).

So Ordered.

s/ Jeffrey J. Helmick
United States District Judge